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The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1502.3C.1. to permit a side yard set back of 10' in lieu of the required 25'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty.) Because the lot is narrow and is located on a corner lot (paper street) a variance is required in order to located the proposed house on this lot.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/We are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):  
(Type or Print Name) JOSEPH M. WILSON  
Signature *Joseph M. Wilson*  
Address MARGUERITE A. WILSON  
(Type or Print Name)  
City and State *Marguerite A. Wilson*  
Signature  
Attorney for Petitioner: 417 N. Kenwood Avenue 327-6432  
(Type or Print Name) Address Phone No.  
Baltimore, MD 21224  
Signature City and State  
Address Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
City and State Name  
Attorney's Telephone No.: Address Phone No.

ORDERED BY The Zoning Commissioner of Baltimore County, this 19th day of February, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 25th day of March, 1985, at 10:15 o'clock.

(over)

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



## PETITION AND SITE PLAN EVALUATION COMMENTS

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 18, 1985

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

ooo  
Nicholas B. Commodari  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Mr. & Mrs. Joseph M. Wilson  
417 North Kenwood Avenue  
Baltimore, Maryland 21224

RE: Item No. 206 - Case No. 85-260-A  
Petitioner - Joseph M. Wilson, et ux  
Variance Petition

Dear Mr. & Mrs. Wilson:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to construct a dwelling on this vacant property, this variance is required. As you are aware, this site is located within the Chesapeake Bay Critical Area. As of this writing, comments pertaining to this fact, were not available from the Planning Office, Bureau of Engineering or the Health Department.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,  
*Nicholas B. Commodari, Jr.*  
NICHOLAS B. COMMODARI, Chairman  
Zoning Plans Advisory Committee

NBC:bsc  
Enclosures

## BALTIMORE COUNTY, MARYLAND

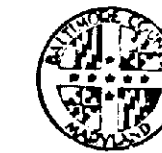
## INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner  
Date: March 20, 1985  
Norman E. Gerber, Director  
FROM: Office of Planning and Zoning  
SUBJECT: Zoning Petitions Nos. 85-259-A and 85-260-A

There are no comprehensive planning factors requiring comment on these petitions.

NEG/JGH/sf

*Norman E. Gerber*  
Norman E. Gerber, Director  
Office of Planning and Zoning



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

February 6, 1985

Mr. & Mrs. Joseph M. Wilson  
417 North Kenwood Avenue  
Baltimore, Maryland 21224

RE: Item No. 206  
Petitioner - Joseph M. Wilson, et ux  
Variance Petition

Dear Mr. & Mrs. Wilson:

The Baltimore County Office of Planning and Zoning has determined that the property for which you have petitioned for a variance is located in the Chesapeake Bay Critical Area. It will, therefore, be necessary for you to comply with the State of Maryland Critical Area regulations which require the assessment of impacts resulting from a zoning change on water quality, and plant and wildlife species. Call 494-3335 in order to obtain additional information.

Sincerely,

*Arnold Jablon*  
Arnold Jablon  
Zoning Commissioner

AJ/sf

cc: Eugene A. Bober, Chief  
Current Planning and Development Division  
Paul J. Solomon  
Comprehensive Planning Division  
James G. Howell, Planner II  
Office of the Director

*file*



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204 2586  
494-4500

PAUL H. REINCKE  
CHIEF

February 8, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Joseph M. Wilson, et ux

Location: SW/Cor. Cuckold Point Road and 9th Street

Item No.: 206

Zoning Agenda: Meeting of 1/29/85

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *Paul J. Solomon* Noted and Approved: *Roy W. Kemmer*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb



Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23<sup>rd</sup> day of March, 1985, that the Petition for Zoning Variance to permit a side yard setback of 10 feet instead of the required 25 feet be and the same is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Baltimore County, Maryland has reviewed this application involving property located in the Maryland Chesapeake Bay Critical Area and has determined that it is consistent with the requirements of the State of Maryland to minimize adverse impacts on water quality and fish, wildlife, and plant habitat.

*[Signature]*  
Zoning Commissioner of  
Baltimore County

AJ/srl

cc: Mr. & Mrs. Joseph M. Wilson

People's Counsel

ORDER RECEIVED FOR FILING

DATE *3/25/85*  
BY *[Signature]*



BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3000

February 19, 1985

THE ZONING  
DIRECTOR  
Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 206 Zoning Advisory Committee Meeting are as follows:

Property Owner: Joseph M. Wilson, et ux  
Location: SW Corner Cuckold Point Road and 9th Street  
Existing Zoning: D-1, 55  
Proposed Zoning: Variance to permit a side yard setback of 10' in lieu of the required 25'.

Address: 62-78/60 x 105.76/124.3  
District: 15th.

The items checked below are applicable:

(A) All structures shall conform to the Baltimore Co. Building Code 1981/Council Bill 4-82 State of Maryland Code for the Building, and Age, and other applicable Codes.

(B) A building or other structure shall be required before beginning construction.

(C) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal and signature required. Non-reproduced seals and signatures are required on Plans and Technical Data.

(D) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

(E) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group, of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot line. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1007 and Table 1002, also Section 903.2.

(F) Requested variance appears to conflict with the Baltimore County Building Code, Section 5.

(G) A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

(H) Before this office can comment on the above structure, please have the owner, then the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

(I) Comments - This structure is in an area subject to tidal inundations. Any and all floor levels shall be 1'-0" above the 100 year flood tide elevations as established by the Department of Public Works. See Section 519.0 of the Baltimore County Building Code as amended by Council Bill 4-82.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 106 (Please Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

*[Signature]*  
Charles E. Burrhead, Chief  
Plans Review

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
SW Corner of Cuckold Point :  
Rd. & 9th St., 15th Dist. : OF BALTIMORE COUNTY  
JOSEPH M. WILSON, et ux, : Case No. 85-260-A  
Petitioners :  
: : : : :  
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*[Signature]*  
Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

*[Signature]*  
Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2188

I HEREBY CERTIFY that on this 6th day of March, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Joseph M. Wilson, 417 N. Kenwood Ave., Baltimore, MD 21224, Petitioners.

*[Signature]*  
Peter Max Zimmerman  
Peter Max Zimmerman



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

March 28, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item # 206 (1984-1985)  
Property Owner: Joseph M. Wilson, et ux  
S/W Cuckold Point Rd. and 9th St.  
Acres: 62.78/60 x 105.76/124.3  
District: 15th

Dear Mr. Jablon:

The following comments are furnished in regard to the subject zoning item:

General Comments:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Very truly yours,

*[Signature]*  
James A. Markle, P.E., Chief  
Bureau of Public Services

JAM:EAM:PMO:SS



BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-3550

STEPHEN E. COLLINS  
DIRECTOR

February 28, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 197,200,201,202,203,204,205, and 206 - ZAC-Meeting of January 29, 1985  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

Address:  
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 197,200,201,202,203,204,205, and 206.

*[Signature]*  
Michael S. Pijffers  
Traffic Engineering Assoc. II

MSF/ccm

February 28, 1985

Mr. & Mrs. Joseph M. Wilson  
417 N. Kenwood Avenue  
Baltimore, Maryland 21214

NOTICE OF HEARING

RE: Petition for Variance  
SW Corner Cuckold Point Road & 9th Street  
Case No. 85-260-A

TIME: 10:15 a.m.

DATE: Monday, March 25, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

*[Signature]*  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE, REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 003193

DATE *3/16/85* ACCOUNT *801-615-000*

AMOUNT \$ *35.00*

RECEIVED FROM *Joseph M. Wilson*

FOR *entry fee for item #206*

BY *[Signature]* *William - VANDERBILT*

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: *15th* Date of Posting: *3/10/85*

Posted for: *Variances to permit side yard setback*

Petitioner: *Joseph M. Wilson, et ux*

Location of property: *SW Corner Cuckold Pt. Rd. & 9th St.*

Location of Sign: *Room 106, County Office Bldg., 111 West Chesapeake Ave., Towson, Md.*

Remarks: *See Property of Petitioner*

Posted by: *[Signature]* Date of return: *3/15/85*

Number of Signs: *1*

"DUPLICATE"  
CERTIFICATE OF PUBLICATION

Dundalk, MD. *3/1* 1985  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE BALTIMORE COUNTY JOURNAL, a weekly newspaper, published in Dundalk, Baltimore County, Maryland, appearing on *3/1* 1985

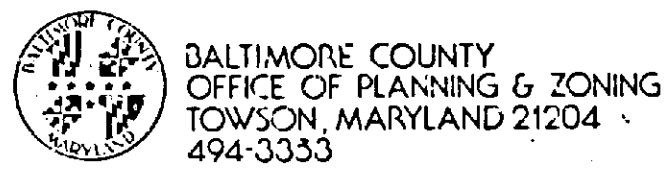
The Baltimore County Journal,  
*[Signature]*  
Publisher

LEGAL  
NOTICE

PETITION FOR VARIANCE  
The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

63893





ARNOLD JABLON  
ZONING COMMISSIONER

March 21, 1985

Mr. and Mrs. Joseph M. Wilson  
417 N. Kenwood Avenue  
Baltimore, Maryland 21214

RE: Petition for Variance  
SW corner Cuckold Point Road and  
9th Street  
Joseph M. Wilson, et ux - Petitioners  
Case No. 85-260-A

Dear Mr. and Mrs. Wilson:

This is to advise you that \$40.50 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE, REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 005368

DATE: March 21, 1985 ACCOUNT: 85-260-A  
AMOUNT: \$40.50  
RECEIVED FROM: Joseph M. Wilson, et ux  
FOR: Petition for Variance, Case No. 85-260-A  
B BAL\*\*\*\*\*4050616/52058

VALIDATION OR SIGNATURE OF CASHIER

#### BALTIMORE COUNTY DEPARTMENT OF HEALTH

March 25, 1985  
Date

Zoning Commissioner  
Office of Planning & Zoning  
County Office Building  
Towson, Maryland 21204

#### CRITICAL AREA REVIEW

Zoning Item # 206 Zoning Advisory Committee Meeting of January 29, 1985

Property Owner: Joseph M. Wilson, et ux

Location: Cuckold Point Rd + 9th St. District 15

Stream(s) on Property Yes ☐ No ☒

COMMENTS

Wetlands/Hydric Soils Yes ☒ No ☐

COMMENTS Extensive wetland areas exist on site.

Note: As per Baltimore County Health Department Wetland Guidelines, development or grading is prohibited in upland and tidal wetlands.

OTHER COMMENTS Applicant should contact Division of Waste & Water Quality Management (494-3768) to arrange for an inspection prior to submitting any building or grading permit applications.

Stephen A. Taylor

Located on the southwest corner of Cuckold Point Road and 9th street and known as lot #339 as shown on the Plat of Swan Point, which is recorded in the land records of Baltimore County in liber 9 folio 4.

#### CERTIFICATE OF PUBLICATION

TOWSON, MD, March 7, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 7, 1985.

85-260-A  
THE JEFFERSONIAN

13 Kenton  
Publisher

Cost of Advertising

\$18.00

#### PETITION FOR VARIANCE

15th Election District

LOCATION: Southwest corner of Cuckold Point Road and 9th Street

DATE AND TIME: Monday, March 25, 1985 at 10:15 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

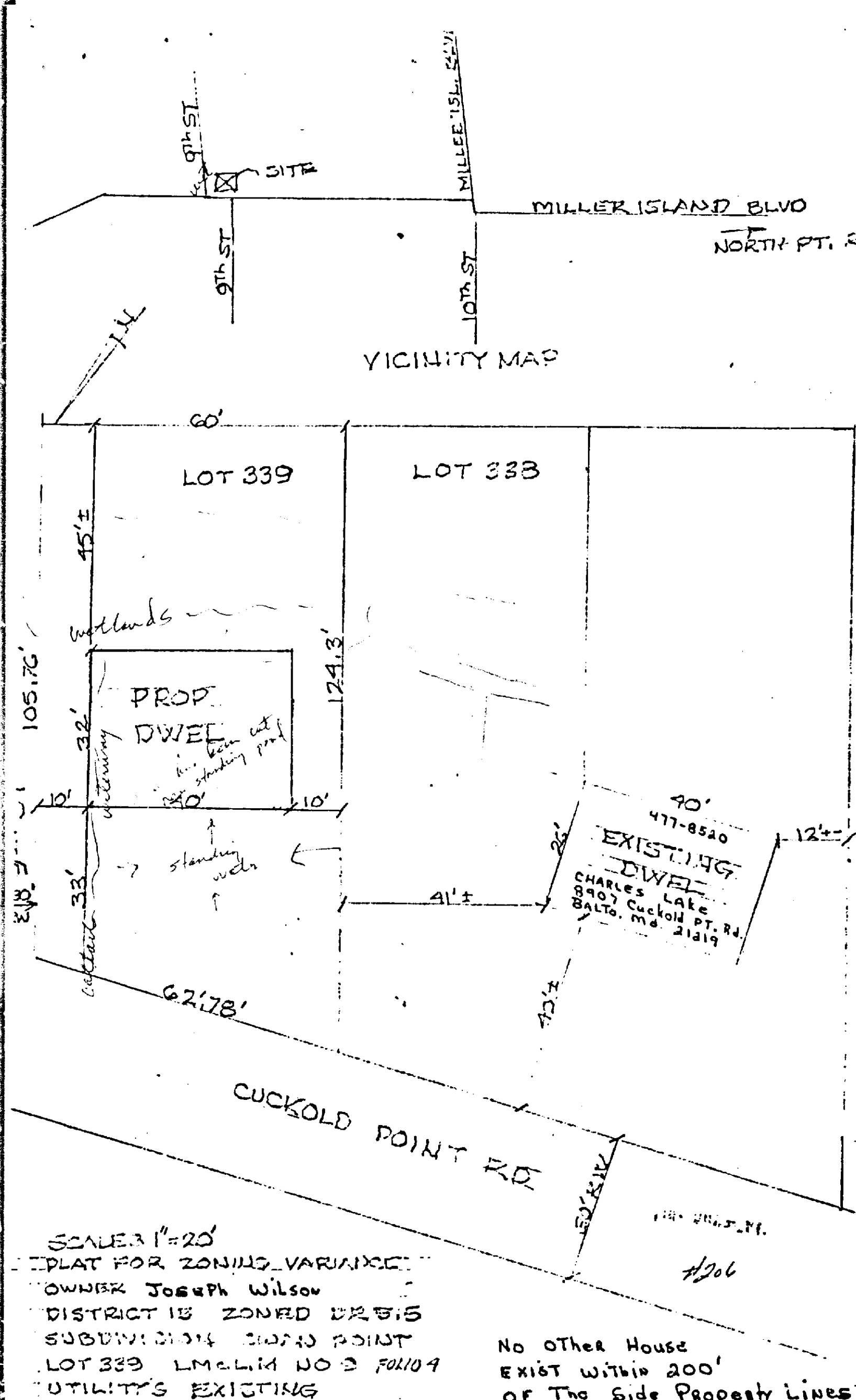
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 10 ft. in lieu of the required 25 ft.

Being the property of Joseph M. Wilson, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY



#### BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 26, 1985

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mr. & Mrs. Joseph M. Wilson  
417 North Kenwood Avenue  
Baltimore, Maryland 21214

RE: Item No. 206 - Case No. 85-260-A  
Petitioner - Joseph M. Wilson, et ux  
Variance Petition

Dear Mr. & Mrs. Wilson:

Enclosed please find additional comments submitted after my original comments of March 18, 1985.

Very truly yours,

NICHOLAS B. COMMODARI  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bsc

Enclosure

